

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET METAL) NO. C 08 0306 BZ
WORKERS, et al.,)
)
)
Plaintiffs,)
vs.) JUDGMENT PURSUANT
) TO STIPULATION
)
)
C R SCHELLENGER H V A C INC., a)
California corporation)
)
)
Defendant.)
)

It appearing that Plaintiffs BOARD OF TRUSTEES OF THE SHEET METAL WORKERS HEALTH CARE PLAN OF NORTHERN CALIFORNIA, SHEET METAL WORKERS PENSION TRUST OF NORTHERN CALIFORNIA, SHEET METAL WORKERS LOCAL 104 VACATION, HOLIDAY SAVINGS PLAN; ANTHONY ASHER, TRUSTEE, through their attorneys, and defendant, C R SCHELLENGER H V A C INC., a California corporation, have Stipulated that plaintiffs have and recover judgment from Defendant and it appearing that the Stipulation is in all respects proper and that the Stipulation provides for judgment against defendant in the amount of \$39,793.96,

IT FURTHER APPEARS that the Stipulation for Judgment provided for a monthly installment payment plan, and that so long as payments were made, judgment would not be entered. The defendant did

1 make some payments, totalling \$6,600.00 but has ceased sending
 2 plaintiffs any payments. The Stipulation provided that plaintiffs
 3 could, in the event of a default, apply for judgment after 10 days
 4 written notice to the defendant. Such notice has been given. See the
 5 Declaration of Michael Carroll in Support of Entry of Judgment
 6 Pursuant to Stipulation filed as Document #38 on December 26, 2010.

7 IT IS HEREBY ORDERED AND ADJUDGED that Plaintiffs BOARD OF
 8 TRUSTEES OF THE SHEET METAL WORKERS HEALTH CARE PLAN OF NORTHERN
 9 CALIFORNIA, SHEET METAL WORKERS PENSION TRUST OF NORTHERN CALIFORNIA,
 10 SHEET METAL WORKERS LOCAL 104 VACATION, HOLIDAY SAVINGS PLAN; ANTHONY
 11 ASHER, TRUSTEE, have and recover judgment from defendant, C R
 12 SCHELLENGER H V A C INC., a California corporation, in the amount of
 13 \$33,193.96, which amount is composed of the following:

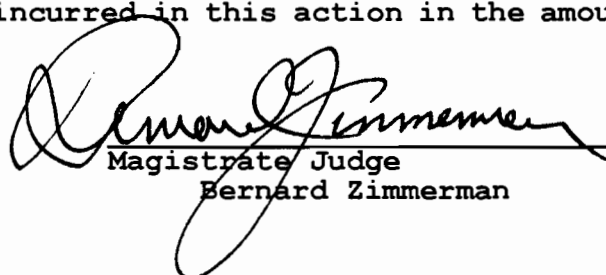
14 a. Contribution balances due and unpaid to Plaintiff Trust
 15 Funds for the period October 2007 through June 2008 in the amount of
 16 \$21,676.82;

17 b. Liquidated damages due and unpaid to the Plaintiff
 18 Trust Funds for the same period in the amount of \$8,637.99;

19 c. Interest due pursuant to contract in the amount of
 20 \$2,529.15,

21 d. Costs of suit incurred in this action in the amount of
 22 \$350.00.

23 Dated 5 Jan 2011


 Magistrate Judge
 Bernard Zimmerman